



United States Environmental Protection Agency
Office of Enforcement and Compliance Assurance
Office of Criminal Enforcement, Forensics and Training

National Enforcement Investigations Center

NEIC

NEICVP1082E01

CLEAN WATER ACT COMPLIANCE INVESTIGATION

ExxonMobil Oil Corporation, Everett Terminal

52 Beacham Street
Everett, Massachusetts
NEIC Project No.: VP1082

December 2014

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APPENDICES (*NEIC-Created Documents)

- A NPDES Permit No. MA0000833 (79 pages)
- B *NEIC Field Investigation Photographs (3 pages)
- C Storm Water Pollution Prevention Plan (116 pages)
- D Terminal Operator’s Guide (22 pages)
- E DMR Daily Flow Spreadsheet for Outfalls 01A and 01C (11 pages)
- F Example of Discharge Monitoring Reports’ Sampling Results Spreadsheets (4 pages)
- G DMRs for July 2012, January 2014, and May 2014 (8 pages)

**This Contents page shows all of the sections contained in this report
and provides a clear indication of the end of this report.**

INTRODUCTION

At the request of U.S. Environmental Protection Agency (EPA) Region 1, EPA's National Enforcement Investigations Center (NEIC) conducted a Clean Water Act (CWA) compliance investigation of the ExxonMobil Oil Corporation (ExxonMobil) facility located in Everett, Massachusetts. Pollution control, wastewater generation, and management operations for the facility are subject to environmental permits and regulations administered by the EPA, the Massachusetts Department of Environmental Protection (MassDEP), and EPA Region 1.

FACILITY BACKGROUND

ExxonMobil is a petroleum products distribution and bulk storage terminal. The facility is composed of approximately 110 acres (including Sprague Energy), and consists of a light fuel (gasoline, diesel, and jet fuel) storage area known as the North Tank Farm; a heavy fuel oil and asphalt storage area known as the South Tank Farm; and a marine bulk product receiving and shipping facility, known as the Marine Facilities. Additionally, Sprague Energy is co-located on the South Tank Farm, but it is not owned by ExxonMobil.

REGULATORY BACKGROUND

ExxonMobil is authorized to discharge wastewater to the Island End River, a small tributary to the Mystic River, under National Pollutant Discharge Elimination System (NPDES) permit No. MA0000833 (**Appendix A**). NPDES Permit No. MA0000833 (NPDES permit) authorizes ExxonMobil to discharge storm water, groundwater, hydrostatic test water, boiler condensate, fire testing water, truck wash water, effluent pond water, and continuous treatment system filter backwash water through outfall 01A; storm water, groundwater, hydrostatic test water, boiler condensate, fire testing water, truck wash water, and effluent pond water through outfall 01B; and storm water, groundwater, hydrostatic test water, boiler condensate, fire testing water, truck wash water, effluent pond water, and continuous treatment system filter backwash water through outfall 01C. Outfalls 01, 01A and 01B discharge through to the Island End River.

ExxonMobil also is responsible for storm water and any other discharges from Sprague Energy into ExxonMobil's storm water collection system. All discharges generated in the North Tank Farm, South Tank Farm, and Marine Facilities flow to the facility's storm drain system and collect at the wastewater treatment system (WWTS) located in the North Tank Farm.

ON-SITE INSPECTION SUMMARY

Introduction

NEIC conducted the on-site inspection of ExxonMobil June 23 through June 25, 2014. The NEIC inspection team consisted of Christine Alvarez (project manager) and Daren Vanlerberghe. Credentials were presented to Damian Guzman (D. Guzman), terminal superintendent, during the

opening meeting on June 23, 2014. A closing meeting was held on June 25, 2014, to discuss the preliminary inspection observations. The NEIC inspection team stressed that final determinations will be made in conjunction with regional personnel and following review of documents provided by ExxonMobil.

Inspection Activities

The NEIC inspection team assessed ExxonMobil's compliance with the NPDES permit requirements and its storm water pollution prevention plan (SWPPP), which is referenced in the NPDES permit, by conducting detailed discussions with ExxonMobil staff and by observing facility process areas, wastewater generation sources, treatment facilities, storm water management areas, outfall locations, and sampling and monitoring locations. Photographs taken by the NEIC inspection team are located in **Appendix B**.

Process Overview and Wastewater and Storm Water Management

ExxonMobil operated as a refinery from 1921 through 1964. In 1964, ExxonMobil ceased refinery operations but continued to operate as a petroleum products distribution and bulk storage terminal. As mentioned previously, ExxonMobil consists of a four areas: North Tank Farm, South Tank Farm, Marine Vessel Dock and Marine Terminal (Marine Facilities), and Sprague Energy Asphalt Terminal (which is not owned by ExxonMobil). The Marine Facilities transfer petroleum products between barges to onshore tanks. The North Tank Farm is located north of Beacham Street, which runs down the middle and splits the ExxonMobil facility into a north and south area. The South Tank Farm is located south of Beacham Street. In general, ExxonMobil receives, stores, distributes, and transfers products between tanks within its facility.

Tankers and barges carrying petroleum products are received at Marine Facilities, and the products are pumped through an aboveground pipeline to aboveground storage tanks located in the North or South Tank Farm areas. Tanker trucks deliver fuel additives (i.e., ethanol and additives), which are transferred to tanks at one of the tank farms. Petroleum products are blended with the appropriate additives and transferred to tank trucks at the loading rack in the North Tank Farm. The terminal operates 24 hours a day, 365 days a year.

Storm water drains by gravity into secondary containment areas, drainage ditches, catch basins, or sumps throughout the ExxonMobil facility. The collected storm water is pumped via a system of sump pumps through a subsurface collection system to ExxonMobil's WWTS. Stormwater from isolated secondary containment areas (i.e., product pumps) also is collected by vacuum truck and discharged into the WWTS. The WWTS is located in the North Tank Farm area and includes an oil/water separator (OWS), a conventional oil/water separator (or bypass flume), and a continuous treatment system (CTS). The CTS includes multimedia filtration and granulated activated carbon (GAC). The CTS has a design capacity of 280 gallons per minute (GPM). It treats dry and wet weather flows up to 280 GPM and discharges through outfall 01C from a treated

water holding tank. Flows that exceed 280 GPM are discharged through outfall 01A up to a capacity of 4,000 GPM. If flows exceed 4,000 GPM, all other wastewater is discharged through outfall 01B. ExxonMobil also has a storage tank known as tank 140. Treated wastewater from the WWTS can be diverted to tank 140 before it is discharged to outfalls 01A or 01C in order to regulate the flow.

SUMMARY OF FINDINGS AND OBSERVATIONS

Findings and observations identified by NEIC during the investigation are summarized in **Table 1**. These findings and observations are linked to specific supporting documents that can be found in individual appendices to this table. These findings and observations can be categorized as either areas of noncompliance or areas of concern. Areas of concern are inspection observations of potential problems or activities that could impact the environment, result in future or current noncompliance, and/or are areas associated with pollution prevention.

Table 1. SUMMARY OF FINDINGS AND OBSERVATIONS
ExxonMobil Oil Corporation
Everett, Massachusetts

#	Regulatory Citation	Findings/Supporting Notes	Evidence
AREAS OF NONCOMPLIANCE			
1	<p>NPDES Permit No. MA0000833, Part 1.A.14. – <i>The permittee shall inspect, operate, and maintain the continuous treatment system, conventional oil water separator and the corrugated plate separator at the facility to ensure that the Effluent Limitations and Monitoring Requirements and other conditions contained in this permit are met. The permittee shall ensure that all components of the facility’s Storm Water Pollution Prevention Plan, including those that specifically address the operation and maintenance of the separator(s) and other components of the storm water conveyance system, are complied with.</i></p> <p>NPDES Permit No. MA0000833, Part 1.B.1 – STORM WATER POLLUTION PREVENTION PLAN – <i>The permittee shall develop, implement, and maintain a Storm Water Pollution Prevention Plan (SWPPP) designed to reduce, or prevent, the discharge of pollutants in storm water to the receiving waters identified in this permit. The SWPPP shall be a written document and consistent with the terms of this permit. The permittee shall comply with the terms of its SWPPP.</i></p>	<p>Finding: During the NEIC inspection, the inspection team observed that the corrugated plate separator (CPS) was stagnant and the CPS plates were filled with algae and debris. According to NPDES permit No. MA0000833 (Appendix A), “The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control.” ExxonMobil was not properly operating and maintaining the CPS at the time of the NEIC inspection.</p> <p>Supporting Notes: During the NEIC inspection, the NEIC inspection team observed that the corrugated plate separator was stagnant and the CPS plates were filled with algae and debris (Appendix B, photographs IMGP0004 and IMGP0005). In order for the CPS to operate properly, the plates must be cleaned regularly prior to treatment or wastewater/storm water influx. If the CPS plates are not cleaned, treatment will be less effective or will not work.</p> <p>The NEIC inspection team reviewed the SWPPP (Appendix C). The SWPPP states that OWS must be visually observed on a daily basis. The OWS system includes a separation flume, a corrugated plate separator, and a set of wet wells. On June 23, 2014, NEIC inspectors asked Scott Wehmeyer, chief operator for the WWTS, if the CPS was inspected and, if so, how often. S. Wehmeyer stated that daily inspections were performed at the wastewater treatment area, which includes the CPS. ExxonMobil does not, however, maintain documentation to confirm if daily inspections are being performed.</p>	<p>Appendix A – NPDES Permit No. MA0000833</p> <p>Appendix B – NEIC Field Investigation Photographs</p> <p>Appendix C – Storm Water Pollution Prevention Plan</p> <p>Discussions with Scott Wehmeyer and other ExxonMobil staff</p>

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ExxonMobil Oil Corporation
Everett, Massachusetts

#	Regulatory Citation	Findings/Supporting Notes	Evidence
	<p>Stormwater Pollution Prevention Plan, Section 3.3 Preventative Maintenance of Stormwater Treatment System – <i>Maintenance of the stormwater drainage system is fully described in the “Operation and Maintenance Manual, Stormwater Treatment System,” also includes the following:</i></p> <p><i>The OWS is visually observed on at least a daily basis and oil is skimmed off the separator, as needed.</i></p> <p>NPDES Permit No. MA0000833, Part II.B.1. Proper Operation and Maintenance – <i>The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit and with the requirements of storm water pollution prevention plans....</i></p>	<p>The CPS is designed to coalesce small oil droplets into larger ones by separating the sediment (sinks to the bottom) from the oil (floats to the top). If the CPS plates are congested with debris, sediment, or algae, separation of sediment from oily material becomes less efficient and treatment inadequate.</p> <p>ExxonMobil should at all times properly operate and maintain all facilities and systems of treatment and control. ExxonMobil was not properly operating and maintaining the CPS at the time of the NEIC inspection.</p>	
AREAS OF CONCERN			
A	<p>NPDES Permit No. MA0000833, Part A.1.23.b – <i>The collection, storage and treatment systems shall be designed, constructed, maintained and operated to treat the total equivalent volume of storm water, groundwater, hydrostatic test water, boiler condensate, fire testing water, truck wash water, effluent pond water and continuous treatment system filter backwash water which would result from a 10-year 24-hour precipitation event, which volume shall be discharged through outfall 01C and outfall 01A. All wet weather and dry weather discharges less than or equal to the design</i></p>	<p>ExxonMobil is not maximizing wastewater storage capacity throughout the facility and is not controlling hydraulic distribution of wastewater through the wastewater treatment system in order to treat the wastewater up to 280 GPM through the continuous treatment system, except during significant storm events. In addition, ExxonMobil is not following procedures outlined in the <i>Terminal Operator’s Guide (TOG)</i>, which includes criteria on WWTS flow capacities and distribution through each treatment system and outfall.</p> <p>According to NPDES permit No. MA0000833 (Appendix A), most dry weather and wet weather flow collected at the ExxonMobil facility should discharge through outfall 01C and/or outfall 01A. Wastewater discharged through outfall 01C flows through the CTS, which includes three multimedia filters and three carbon filters, and is designed to</p>	<p>Appendix A – NPDES Permit No. MA0000833</p>

Table 1. SUMMARY OF FINDINGS AND OBSERVATIONS
ExxonMobil Oil Corporation
Everett, Massachusetts

#	Regulatory Citation	Findings/Supporting Notes	Evidence												
	<p>capacity of the continuous treatment system [280 GPM] shall be treated through the continuous treatment system and discharged at outfall 01C. The flow through the corrugated plate separator shall not exceed 4,000 GPM.</p> <p>NPDES Permit No. MA0000833, Part A.2. Footnote – Sampling frequency of 1/month is defined as the sampling of <u>one</u> (1) significant rain event in each calendar month. Monthly sampling is only required if there is discharge from outfall 01A during a calendar month. Sampling frequency of quarterly is defined as the sampling of <u>one</u> (1) event in each quarter. Quarters are defined as the interval of time between the months of: January through March, inclusive; April through June, inclusive; July through September, inclusive; and October through December, inclusive. Quarterly sampling shall be performed concurrently with the monthly monitoring event. The permittee shall submit to EPA and MassDEP the results of any additional testing of the parameters established for outfall 01A if conducted in accordance with EPA approved methods consistent with the provisions of 40 CFR § 122.41(l)(4)(ii).</p>	<p>remove pollutants from dry weather flows and storm water flows up to its design capacity of 280 gallons per minute. Wastewater discharged through outfall 01A flows through a corrugated plate separator, which is an oil/water separator treatment system designed to treat dry weather flows and storm water flows up to its design capacity of 4,000 GPM.</p> <p>ExxonMobil’s TOG (Appendix D, Section 6.2, Oil Water Separator) states the following:</p> <ul style="list-style-type: none">• All dry weather flow, 0–280 GPM, is treated by the OWS followed by dry weather treatment system (DWTS; also known as the CTS) and discharged to outfall 01C.• Moderate storm event flow, 280–4,000 GPM, is treated by the OWS and discharged to outfall 01A without treatment by the DWTS.• Heavy storm event flow, 4,000–13,600 GPM, is pumped to tank 140 for treatment by the OWS or DWTS following the storm event. Up to 1.3 million gallons will be transferred to tank 140. <p>NEIC does not have enough flow or rain data to perform a thorough evaluation of ExxonMobil’s real-time flow data. NEIC did, however, compare the TOG criteria to ExxonMobil’s total daily discharge flows through outfalls 01A and 01C. Daily total flow data for outfalls 01A and 01C was included in ExxonMobil’s DMR package (Appendix E). NEIC reviewed and summarized the following daily flow data from the daily flow data spreadsheets:</p> <table><tr><th>Year</th><th>No. of Discharge Days through Outfall 01A</th><th>No. of Days Flow Through Outfall 01C Reached 280 GPM (403,200 gallons per day)</th></tr><tr><td>2012</td><td>281</td><td>3</td></tr><tr><td>2013</td><td>262</td><td>0</td></tr><tr><td>2014 (Jan. – May)</td><td>123</td><td>0</td></tr></table> <p>As shown in the above table, ExxonMobil does not optimize flow and treatment through the CTS as described in the TOG or up to 280 GPM (403,200 gallons per day). In addition, although rainfall data is not available, it appears that ExxonMobil utilizes outfall 01A more often than just during moderate storm events.</p>	Year	No. of Discharge Days through Outfall 01A	No. of Days Flow Through Outfall 01C Reached 280 GPM (403,200 gallons per day)	2012	281	3	2013	262	0	2014 (Jan. – May)	123	0	<p>Appendix D – Terminal Operator’s Guide</p> <p>Appendix E – DMR Daily Flow Spreadsheet for Outfalls 01A and 01C</p> <p>Discussions with ExxonMobil staff</p>
Year	No. of Discharge Days through Outfall 01A	No. of Days Flow Through Outfall 01C Reached 280 GPM (403,200 gallons per day)													
2012	281	3													
2013	262	0													
2014 (Jan. – May)	123	0													

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#	Regulatory Citation	Findings/Supporting Notes	Evidence
		<p>Based on discussions with NEIC on June 24, 2014, ExxonMobil has a 1.45-million gallon storage tank, tank 140. According to facility personnel, tank 140 receives wastewater from wet well #2 (part of the WWTS), backwash from carbon filters, and excess storm water during rainfall events. Wastewater from tank 140 is returned to the sediment tank (head works of WWTS) or it can bypass the head works and discharge directly to outfall 01B during major storm events (greater than 4,000 GPM). According to the TOG, tank 140 should be used as storage and during heavy rainfall events in order to control wastewater feed into the WWTS.</p> <p>Based upon the information presented above, ExxonMobil does not appear to follow procedures outlined in the TOG. If ExxonMobil were to maximize the storage capacity throughout the site, use tank 140 as specified in the TOG, and control hydraulic distribution through the WWTS as specified in the TOG, treatment efficiency and flow optimization (up to 280 GPM and through outfall 01C) would improve.</p>	
B.	<p>NPDES Permit No. MA0000833, PART II. E. DEFINITIONS AND ABBREVIATIONS, 1. <i>Average monthly discharge limitation means the highest allowable average of “daily discharges” over a calendar month calculated as the sum of all “daily discharges” measured during a calendar month divided by the number of “daily discharges” measured during that month.</i></p> <p>NPDES Permit No. MA0000833, PART II. E. DEFINITIONS AND ABBREVIATIONS, 1. <i>Daily Discharge means the discharge of a pollutant measured during the calendar day or any other 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the “daily discharge” is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurements, the</i></p>	<p>ExxonMobil may be manipulating how they collect and analyze for total suspended solids (TSS) in order to meet their monthly average and daily maximum permit limits (further known as permit limits for this observation).</p> <p>Appendix F includes a table with examples where more than one TSS sample was analyzed within a 24 hour period, or when multiple TSS samples were collected over a month in order to meet the permit limits. The NPDES permit only requires one sample per month for TSS. During NEICs review of ExxonMobil’s DMRs (Appendix G), if the TSS sample met the monthly average for the month, no other TSS samples were analyzed or collected again later in the month. If the TSS sample did not meet the permit limits for the month, ExxonMobil would have additional TSS samples analyzed in order to meet the permit limits.</p> <p>During a phone conference with ExxonMobil on August 13, 2014, NEIC and ExxonMobil representatives discussed how monthly average and daily maximum limits were being calculated for the discharge monitoring reports (DMRs) (Appendix G). Although several representatives from ExxonMobil and Triumvirate were on the conference call, D. Guzman and Tim Martin, environmental advisor from ExxonMobil, and Darrel Interest, wastewater manager from Triumvirate, answered NEIC’s</p>	<p>Appendix A – NPDES Permit No. MA0000833</p> <p>Appendix F – Example of Discharge Monitoring Reports’ Sampling Results Spreadsheets</p> <p>Appendix G – DMRs for July 2012, January 2014, and May 2014</p> <p>Discussions with D. Guzman, Tim</p>

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	<p><i>“daily discharge” is calculated as the average measurement of the pollutant over the day.</i></p>	<p>questions. Triumvirate is contracted to perform compliance sampling and calculate permit limits for ExxonMobil DMRs.</p> <p>D. Interest explained that, for TSS samples, three individual samples are collected within a 24-hour sampling event. All three samples are sent to the contract laboratory. Only one of the three TSS samples are analyzed at a time to see if it meets the monthly average or daily maximum (permit limits). If the first TSS sample that’s analyzed does not meet the permit limits, the second TSS sample is analyzed and so forth. If more than one TSS sample (of the three) is analyzed within the same day (24-hour period), all samples analyzed are averaged to calculate the monthly average. If, however, the average of all three TSS samples does not meet the permit limits, then another set of TSS samples (three samples) will be collected during the next discharge event. Similarly, one or more of the three TSS samples will be analyzed during this 24-hour period. Triumvirate then adds the average from the first set of samples to the average from the second set of samples, and divides by the number of discharge days (in this example two discharge days).</p> <p>ExxonMobil/Triumvirate’s procedure is to always collect three TSS samples during each sampling event. They do not, however, always analyze all three TSS samples. In addition, it also appears that they only analyze what samples they need in order to meet their monthly average or daily maximum permit limits and will continue to collect additional samples until they meet their TSS permit limits.</p>	<p>Martin from ExxonMobil and Darrel Interest from Triumvirate</p>
C.	<p>NPDES Permit No. MA0000833, Part 1.B.1 – STORM WATER POLLUTION PREVENTION PLAN – <i>The permittee shall develop, implement, and maintain a Storm Water Pollution Prevention Plan (SWPPP) designed to reduce, or prevent, the discharge of pollutants in storm water to the receiving waters identified in this permit. The SWPPP shall be a written document and consistent with the terms of this permit. The permittee shall comply with the terms of its SWPPP.</i></p> <p>Stormwater Pollution Prevention Plan, Section 3.3 Preventative Maintenance of Stormwater Treatment System –</p>	<p>At the time of the NEIC inspection, catch basin 30, located in the North Tank Farm, was covered in mud, and the storm water controls, including a silt fence and straw hay bales, were falling apart or had fallen down (Appendix B, photographs IMG001 and IMG0002).</p> <p>The ExxonMobil SWPPP (Appendix C) requires that the facility perform annual inspections and maintain storm water controls, which include catch basins. During the NEIC closing meeting, D. Guzman stated that ExxonMobil had already fixed the silt fence and removed the mud from around and inside catch basin 30.</p>	<p>Appendix A – NPDES Permit No. MA0000833</p> <p>Appendix B – NEIC Field Investigation Photographs</p> <p>Appendix C – SWPPP</p> <p>Discussions with D. Guzman and</p>

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#	Regulatory Citation	Findings/Supporting Notes	Evidence
	<p><i>Maintenance of the storm water drainage system is fully described in the “Operation and Maintenance Manual, Stormwater Treatment System,” also includes the following:</i></p> <p><i>Catch basins, sediment basins, and drains are inspected annually and then cleaned out to remove solids accumulation as needed.</i></p>		ExxonMobil staff
D.		<p>To the knowledge of current personnel, ExxonMobil has never activated or exercised pumps 206 or 207, two large axial pumps that pump wastewater through outfall 01B. According to facility personnel, no severe storm event has been big enough (> 13,600 GPM) to require their activation. Because pumps 206 and 207 have never been used or exercised, there is a concern regarding their operational ability.</p> <p>In the “Response to Comment” section of the NPDES permit, during high storm water events, wastewater formerly was bypassed outfall 01B. It is not clear, however, if outfall 01B is in the same location as was described in the previous NPDES permit No. MA0000833.</p>	<p>Appendix A – NPDES Permit No. MA0000833</p> <p>Discussions with D. Guzman and ExxonMobil staff</p>
E.		<p>NEIC is unclear about, and ExxonMobil personnel could not define, a “significant rain event.”</p> <p>NPDES Permit No. MA0000833, Part 1.A.2, Footnote 2, states that the sampling frequency for outfall 01A is once per month and defined “as the sampling of one (1) significant rain event in each calendar month” (Appendix A).</p> <p>During the NEIC inspection, NEIC inspectors asked ExxonMobil representatives what they defined as a significant rain event; ExxonMobil representatives stated that they did not know.</p> <p>In order for ExxonMobil to properly sample during a significant rain event, it is important to understand what MassDEP’s or EPA Region 2’s definition is of a significant rain event.</p>	<p>Appendix A – NPDES Permit No. MA0000833</p> <p>Discussions with D. Guzman and ExxonMobil staff</p>
E		<p>During the NEIC inspection, NEIC inspectors observed that the flow meter at outfall 01C had not been calibrated since July 2012 (Appendix B, photographs IMPG0007 and IMPG0008). The NPDES permit does not require ExxonMobil to calibrate its flow meter on an annual basis. However, frequent calibration is a good maintenance practice to ensure the flow meter provides accurate and constant flow measurements.</p>	<p>Appendix B – NEIC Field Investigation Photographs</p>

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			Discussions with D. Guzman and ExxonMobil staff